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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,)

8 Plaintiff,)

9 vs.)

10 U.S. FUNDS IN THE AMOUNT OF)
11 \$422,811.43 SEIZED FROM)
COLUMBIA STATE BANK)
ACCOUNT#: XXXXXX4346,)

12 Defendant.)

CV-04-381-RHW

Final Order of Forfeiture

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14 Plaintiff, United States of America, alleged in a Verified Complaint for
15 Forfeiture *In Rem*, that the defendant property is subject to forfeiture to the United
16 States pursuant to 18 U.S.C. § 2344(c) and 18 U.S.C. § 981(a)(1)(A).

17 The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and
18 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

19 The defendant property being forfeited is described as follows:

20 All United States currency funds or other monetary instruments credited
21 to account number XXXXXX4346, in the amount of \$422,811.43, held
22 in the names of Jerry's Smoke Shop and/or Gerald G. George, and/or
Faye A. Wright, seized from Columbia State Bank, in Fife, Washington,
on or about June 8, 2004.

23 On November 23, 2004, Gerald G. George d/b/a/ Jerry's Smoke Shop was
24 served via certified mail with copies of the Verified Complaint for Forfeiture *In Rem*,
25 and Notice of Complaint for Forfeiture, in the above-entitled matter, as evidenced by
26 the Certificate of Service of Notice by Mail filed with the Court on November 23,
27 2004.
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1 On November 23, 2004, Attorney Zenon Olbertz was served via certified mail
2 with copies of the Verified Complaint for Forfeiture In Rem, and Notice of Complaint
3 for Forfeiture, in the above-entitled matter, as evidenced by the Certificate of Service
4 of Notice by Mail filed with the Court on November 23, 2004.

5 On December 1, 2004, Attorney Zenon Olbertz filed a Notice of Appearance.

6 On May 4, 2005, Gerald G. George filed a Notice of Claim to the Defendant
7 funds. Gerald G. George did not file an answer.

8 No other claims to the Defendant funds were filed.

9 The Notice of Complaint was published on April 8, 15, and 22, 2005, in the
10 Daily Journal of Commerce, a newspaper of general circulation in King County,
11 Washington, as evidenced by the TDF-90 form filed with the Court on May 8, 2005.
12 Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims, Fed.
13 R. Civ. P., and 18 U.S.C. § 983(a)(4)(A), require that claimants file a claim within
14 thirty (30) days after final date of publication of the Notice of Complaint for
15 Forfeiture, or within thirty (30) days after service of the complaint, whichever occurs
16 first. At the latest this 30-day period expired on May 23, 2005.

17 On August 31, 2006, Gerald G. George entered into a Plea Agreement in *United*
18 *States v. Gerald G. George*, Court Case No. CR-05-2099-RHW-7, in which Gerald
19 G. George agreed to the forfeiture of the property without further notice.

20 On September 29, 2006, Gerald G. George d/b/a Jerry's Smoke Shop entered
21 into a Stipulation for Order of Forfeiture of the defendant property in this civil
22 forfeiture case, filed with the Court on October 4, 2006 (Ct. Rec. 8).

23 It appearing to the Court that the interest of Gerald G. George d/b/a Jerry's
24 Smoke Shop has been resolved by the entry of the Stipulation for Order of Forfeiture,
25 filed with the Court on October 4, 2006; and the Plea Agreement in *United States v.*
26 *Gerald G. George*, August 31, 2006;

27 It further appearing to the Court that no other claims have been made to the
28 defendant property;

